

ATTACHMENT A

Subject: Re: One Question

From: Lee Wolosky <lwolosky@bsflp.com>

Date: Aug 30, 2018, 9:50 AM

To: "Lowell, Abbe David" <ADLowell@winston.com>, Amy Neuhardt
<aneuhardt@bsflp.com>

Yes, we can agree that September 28 is your response date if you forgo a challenge to service.

As for discovery of Mr. Benomar, I think it is hard to make a permanent representation to that effect just because it is difficult to predict what's going to happen in each case, but we can definitely make that representation for now. As I noted earlier, given the current procedural posture of the California case, we are not pursuing new discovery in it now. We understand your concern about the prospect of having him sit for two depositions (and conduct potentially duplicative document searches) and we would be willing to work with you on that.

From: Lowell, Abbe David <ADLowell@winston.com>

Sent: Thursday, August 30, 2018 9:40 AM

To: Lee Wolosky; Amy Neuhardt

Cc: Bloom, Eric W.

Subject: One Question

Just saw your filing. We would, in opposition, add the argument about proper service, but, I wanted to confirm that we will forego that if we at least can agree on our September 28 response date and whatever discovery for Mr. Benomar occurs, if and when it occurs, would be in the SDNY case (not CD Calif)?

Abbe David Lowell

Partner

Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006-3817
D: +1 202-282-5875
F: +1 202-282-5100

200 Park Avenue
New York, NY 10166-4193

D: +1 212-294-3305

F: +1 212-294-4700

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